



COUNCIL CHAMBERS

17555 PEAK AVENUE MORGAN HILL CALIFORNIA 95037

COUNCIL MEMBERS	REDEVELOPMENT AGENCY
Dennis Kennedy, Mayor	Dennis Kennedy, Chair
Steve Tate, Mayor Pro Tempore	Steve Tate, Vice-Chair
Larry Carr, Council Member	Larry Carr, Agency Member
Mark Grzan, Council Member	Mark Grzan, Agency Member
Greg Sellers, Council Member	Greg Sellers, Agency Member

WEDNESDAY, NOVEMBER 16, 2005

AGENDA

JOINT MEETING

CITY COUNCIL REGULAR MEETING

and

REDEVELOPMENT AGENCY SPECIAL MEETING

7:00 P.M.

*A Special Redevelopment Agency Meeting is called at 7:00 P.M.
for the Purpose of Conducting Redevelopment Agency Business.*

Dennis Kennedy, Mayor/Chairman

CALL TO ORDER

(Mayor/Chairperson Kennedy)

ROLL CALL ATTENDANCE

(City Clerk/Agency Secretary Torrez)

DECLARATION OF POSTING OF AGENDA

Per Government Code 54954.2

(City Clerk/Agency Secretary Torrez)

7:00 P.M.

SILENT INVOCATION

PLEDGE OF ALLEGIANCE

PROCLAMATIONS

National Family Week - November 20-26, 2005
David Wilson

CITY COUNCIL REPORT

Mayor Kennedy

CITY COUNCIL SUB-COMMITTEE REPORTS

CITY MANAGER'S REPORT

CITY ATTORNEY'S REPORT

OTHER REPORTS

PUBLIC COMMENT

NOW IS THE TIME FOR COMMENTS FROM THE PUBLIC REGARDING ITEMS NOT ON THIS AGENDA.

(See notice attached to the end of this agenda.)

**PUBLIC COMMENTS ON ITEMS APPEARING ON THIS AGENDA WILL BE TAKEN AT THE TIME
THE ITEM IS ADDRESSED BY THE COUNCIL. PLEASE COMPLETE A SPEAKER CARD AND
PRESENT IT TO THE CITY CLERK.**

(See notice attached to the end of this agenda.)

**PLEASE SUBMIT WRITTEN CORRESPONDENCE TO THE CITY CLERK/AGENCY SECRETARY. THE
CITY CLERK/AGENCY SECRETARY WILL FORWARD CORRESPONDENCE TO THE CITY
COUNCIL/REDEVELOPMENT AGENCY.**

City Council Action

CONSENT CALENDAR:

ITEMS 1-8 The Consent Calendar may be acted upon with one motion, a second and the vote, by each respective Agency. The Consent Calendar items are of a routine or generally uncontested nature and may be acted upon with one motion. Pursuant to Section 5.1 of the City Council Rules of Conduct, any member of the Council or public may request to have an item pulled from the Consent Calendar to be acted upon individually.

Time Estimate

Page

Consent Calendar: 1 - 10 Minutes

1. **OCTOBER 2005 FINANCE AND INVESTMENT REPORT – CITY OF MORGAN HILL** 1
Recommended Action(s): Accept and File Report.
2. **INDOOR RECREATION CENTER (IRC) PROJECT – OCTOBER CONSTRUCTION**
PROGRESS REPORT 27
Recommended Action(s): Information Only.

	Time Estimate	Page
	Consent Calendar: 1 - 10 Minutes	
3.	<u>AWARD OF THE BUTTERFIELD WELL PUMP STATION PROJECT</u> 35 <u>Recommended Action(s):</u> 1. <u>Award</u> Contract to Conco West, Inc. for the Construction of the Butterfield Well Pump Station Project in the Amount of \$525,000; and 2. <u>Authorize</u> Expenditure of Construction Contingency Funds, Not to Exceed \$52,500.	
4.	<u>APPROVAL OF FUNDING AGREEMENT AND PROFESSIONAL SERVICES AGREEMENT TO PREPARE A SEWER ASSESSMENT DISTRICT FEASIBILITY STUDY FOR THE COUNTY PORTION OF HOLIDAY LAKE ESTATES</u> 37 <u>Recommended Action(s):</u> 1. <u>Approve</u> Funding Agreement and <u>Authorize</u> the City Manager, Subject to Review and Approval as to Form by the City Attorney, to Execute the Agreement on Behalf of the City of Morgan Hill ; and 2. <u>Approve</u> the Scope of Work for Harris & Associates in the Amount of \$38,000; and <u>Authorize</u> the City Manager to Execute a Professional Services Agreement for the Holiday Lake Estates Sanitary Sewer Assessment District Feasibility Study, Subject to Approval as to Form by the City Attorney and Subject to all Parties Executing the Cost Sharing Agreement.	
5.	<u>RESIDENTIAL DEVELOPMENT CONTROL SYSTEM (RDSCS) 2005 QUARTERLY REPORT #3</u> 47 <u>Recommended Action(s):</u> <u>Accept</u> and <u>File</u> the RDSCS Third Quarter Report for 2005.	
6.	<u>MORGAN HILL LIBRARY-APPROVAL OF \$29,000 FOR ADDITIONAL DESIGN SERVICES FOR EXTERIOR AND INTERIOR SIGNAGE</u> 63 <u>Recommended Action(s):</u> <u>Authorize</u> Amendment of Contract Agreement with Noll & Tam to Provide Additional Services for Exterior and Interior Signage Design and Coordination for the Library.	
7.	<u>AMEND CONTRACT WITH KIDZ LOVE SOCCER</u> 65 <u>Recommended Action(s):</u> <u>Authorize</u> the City Manager to Amend Contract with Kidz Love Soccer to Increase Compensation to \$26,000; Subject to Review and Approval by City Attorney.	
8.	<u>APPROVE JOINT SPECIAL CITY COUNCIL; ARCHITECTURAL REVIEW BOARD; BICYCLE & TRAILS ADVISORY COMMITTEE; LIBRARY, CULTURE & ARTS COMMISSION; MOBILE HOME RENT COMMISSION; CORPORATION YARD COMMISSION; PARKS & RECREATION COMMISSION; PLANNING COMMISSION; SENIOR ADVISORY COMMITTEE; AND YOUTH ADVISORY COMMITTEE WORKSHOP MINUTES OF NOVEMBER 9, 2005</u> 83	

Redevelopment Agency Action

CONSENT CALENDAR:

ITEMS 9-10

	Time Estimate	Page
	Consent Calendar: 1 - 10 Minutes	
9.	<u>OCTOBER 2005 FINANCE AND INVESTMENT REPORT – REDEVELOPMENT AGENCY</u> 87 <u>Recommended Action(s):</u> <u>Accept</u> and <u>File</u> Report.	

Time Estimate **Page**
Consent Calendar: 1 - 10 Minutes

10. **HOUSING REHABILITATION LOAN FOR 50 WEST FIFTH STREET**..... 97
Recommended Action(s):
1. **Approve** a Loan of up to \$60,000 under the Agency's Housing Rehabilitation Loan Program to Rehabilitate the Home at 50 West Fifth Street; and
2. **Authorize** the Executive Director to do Everything Necessary to Prepare and Execute Loan Documents.

City Council and Redevelopment Agency Action

CONSENT CALENDAR:

ITEMS 11-12

Time Estimate **Page**
Consent Calendar: 1 - 10 Minutes

11. **APPROVE JOINT REGULAR REDEVELOPMENT AGENCY AND SPECIAL CITY COUNCIL MEETING MINUTES OF OCTOBER 26, 2005**..... 99
12. **APPROVE JOINT SPECIAL AND REGULAR CITY COUNCIL AND SPECIAL REDEVELOPMENT AGENCY MEETING MINUTES OF NOVEMBER 2, 2005**..... 111

City Council Action (Continued)

CONSENT CALENDAR:

ITEM 13

Time Estimate **Page**
Consent Calendar: 1 - 10 Minutes

13. **AWARD OF 2005-2006 SIDEWALK, CURB AND GUTTER REMOVAL AND REPLACEMENT PROJECT**..... 125
Recommended Action(s):
1. **Award** Contract to J.J.R. Construction, Inc. for the Construction of the 2005-2006 Sidewalk, Curb and Gutter Removal and Replacement Project in the Amount of \$54,975; Subject to Review and Approval by the City Attorney; and
2. **Authorize** Expenditure of Construction Contingency Funds, Not to Exceed \$5,500.

City Council Action

PUBLIC HEARINGS:

Time Estimate **Page**

14. **5 Minutes** **DEVELOPMENT AGREEMENT AMENDMENT, DAA-04-08: TILTON-GLENROCK**.....129
Public Hearing Opened.
Please Limit Your Remarks to 3 Minutes. Public Hearing Closed
Council Discussion.
Action- **Motion to Waive** the Reading in Full of Ordinance.
Action- **Motion to Introduce** Ordinance by Title Only. (Roll Call Vote)

PUBLIC HEARINGS:

	Time Estimate		Page
15.	120 Minutes	<u>GENERAL PLAN AMENDMENT, GPA-04-12: COCHRANE-CITY OF MORGAN HILL; ZONING AMENDMENT, ZA-04-12/ SUBDIVISION, SD-05-05/ DEVELOPMENT AGREEMENT, DA-05-11; USE PERMIT, UP-05-11/ SITE REVIEW, SR-05-12: COCHRANE-DINAPOLI-BROWMAN</u>	147
		Public Hearing Opened.	
		Please Limit Your Remarks to 3 Minutes. Public Hearing Closed	
		Council Discussion.	
		a) Action- <u>Adopt</u> Resolution Certifying Final Environmental Impact Report, Making Findings, Adopting a Statement of Overriding Considerations, and Adopting a Mitigation Monitoring and Reporting Program.	
		b) Action- <u>Adopt</u> General Plan Amendment Resolution.	
		c) Action- <u>Motion to Waive</u> the Reading in Full of Zoning Amendment Ordinance.	
		d) Action- <u>Motion to Introduce</u> Zoning Amendment Ordinance by Title Only. (Roll Call Vote)	
		e) Action- <u>Adopt</u> Subdivision Resolution.	
		f) Action- <u>Motion to Waive</u> the Reading in Full of Development Agreement Ordinance.	
		g) Action- <u>Motion to Introduce</u> Development Agreement Ordinance by Title Only. (Roll Call Vote)	
		h) Action- <u>Adopt</u> Conditional Use Permit Resolution.	
		i) Action- <u>Adopt</u> Architectural and Site Plan Review Resolution; and	
		j) Action- <u>Direct</u> the City Attorney to Return at a Future City Council Meeting with Information Regarding Placing an Initiative on the Ballot to Remove the Grocery Store Use Restriction from the Cochrane Plaza Planned Unit Development (PUD).	

FUTURE COUNCIL-INITIATED AGENDA ITEMS:

Note: in accordance with Government Code Section 54954.2(a), there shall be no discussion, debate and/or action taken on any request other than providing direction to staff to place the matter of business on a future agenda.

ADJOURNMENT